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E UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Bernhardt

Application No.: 10/001,513

Filed: 10/31/2001

Title: Safety Systems for Grinding Machines

Attorney Docket No.: KWPT.P-007

Customer No.: 021121

Group Art Unit: 3725

Examiner: ROSENBAUM, MARK

Confirmation No: 3245

RECEIVED

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TECHNOLOGY CENTER R3700

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Enclosed please find:

Three copies of the Appeal Brief

Three copies of the Appendix

Fee Transmittal for FY 2004 (Form PTO/SB/17)

Credit Card Payment Form (Form PTO-2038)

Cert. Under 37 CFR 1.8

This paper and the attachments named herein are being deposited with the United States Postal Service with sufficient postage as first class mail and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on

MAR 2 4 2004

Signature

Respectfully submitted,

Carl Oppedahl

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PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032 Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known EE TRANSMITTAL 10/001,513 Application Number for FY 2004 Filing Date 10/31/2001 Bernhardt First Named Inventor Effective 10/01/2003. Patent fees are subject to annual revision. Mark Rosenbaum **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 3725 Art Unit (\$) 330.00 TOTAL AMOUNT OF PAYMENT KWPT.P-007 Attorney Docket No

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit card Money Other None	3. AD				-	_
Deposit Account:	Fee	Fee	Fee Code	Fee	Fee Description	Fee Paid
Account Number	1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account Name	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
The Director is authorized to: (check all that apply)	1053	130	1053		Non-English specification	
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	└
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Paid Fee Paid	1254		2254	740	• •	
Code (\$)	1255		2255		Extension for reply within fifth month	
1001 770 2001 385 Utility filing fee	1401	330	2401	.,	, ,	
1002 340 2002 170 Design filing fee	1401	330	2401		Notice of Appeal Filing a brief in support of an appeal	\$330.00
1003 530 2003 265 Plant filing fee	1402	290	2402		Request for oral hearing	1
1004 770 2004 385 Reissue filing fee	1451		1451		Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1451	•	2452		Petition to institute a public use proceeding Petition to revive - unavoidable	
SUBTOTAL (1) (\$)		110				
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453		2453		Petition to revive - unintentional	
Fee from Extra Claims below Fee Paid	1501 1502	1,330 480	2501 2502		Utility issue fee (or reissue)	CEIVE
Total Claims .20** = X = =	1502	640	2502		Design issue fee Plant issue fee MAI	3 0 2004
Independent 2** - V	1460	130	1460	120	Potitions to the Commissioner	1 2014
Claims Multiple Dependent =	1			7 50	Petitions to the Commissioner TECHNOLO Processing fee under 37 CFR 1.17(d) POLO Submission of Information Disclosure Stmt	<u></u>
Large Entity Small Entity	1807	50	1807	, 50	Processing ree under 37 CFR 1.17(q) 920	CENTER P
Fee Fee Fee Fee Description	1806	180	1806			+
Code (\$) Code (\$)	8021	40	802 ⁻	1 40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 ** Reissue independent claims	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$)	Other '	fee (sp	ecify) _			
**or number previously paid, if greater; For Reissues, see above	*Redu	iced by	Basic I	Filing F	ee Paid SUBTOTAL (3) (\$) 330.	00

SUBMITTED BY

Name (Print/Type)

Carl Oppedahl

Registration No. (Attorney/Agent)

Signature

(Complete (if applicable))

Telephone 970 468 6600

Date

24 Mar 04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.